UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	v	
PAUL REIFFER,	X : :	
Plaintiff,	: :	22-CV-8466 (JMF)
-V-	:	<u>ORDER</u>
MICHAEL WAYNE ATKIN,	:	
Defendant.	: :	
	: X	

JESSE M. FURMAN, United States District Judge:

In light of Defendant's new motion to dismiss, *see* ECF No. 17, Defendant's earlier motion to dismiss filed at ECF No. 9 is hereby DENIED as moot. Plaintiff's opposition to the new motion to dismiss is due by **February 9, 2023**. Defendant's reply, if any, is due by **February 16, 2023**.

The Clerk of Court is directed to terminate ECF No. 9.

SO ORDERED.

Dated: January 27, 2023 New York, New York

JESSE M. FURMAN United States District Judge